
Exhibit B



Deposition of:
Statement of Ian Baxter, Esq.

January 6, 2020

In the Matter of:
Mannarino, Sophie v. FCA US LLC et al.

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Case No. 17-cv-07444-NGG-JO

IN RE: US LLC MONOSTABLE ELECTRONIC
GEARSHIFT LITIGATION,

MDL NO. 2744

This Document Relates to:

SOPHIE MANNARINO and MICHAEL MENNA, as
Co-Administrators for the Estate of
MICHAEL J. MANNARINO, a/k/a MICHAEL J.
MANNARINO, JR.,

Plaintiffs,

- against -

FCA US LLC, ROCKAWAY CHRYSLER DODGE JEEP
RAM, ZF NORTH AMERICA, INC. and JOHN DOES
1-100,

Defendants.

16 Court Street
Brooklyn, New York

January 16, 2020
10:05 a.m.

DEPOSITION of SHELDON WHITE, A
Non-Party Witness, held at the above time
and place, taken before Arthur Hecht, a
Shorthand Reporter and Notary Public of
the State of New York, pursuant to the
Federal Rules of Civil Procedure, and
stipulations between Counsel.

1 A. I've received multiple
2 throughout -- within the police
3 department, but I couldn't tell you off
4 head -- off my head, off the top of my
5 head.

6 Q. Okay. I want to ask you a
7 little bit now about the accident of
8 February 15, 2017, and if I refer to an
9 accident throughout the course of your
10 deposition today, I'm going to be
11 referring to the event of February 15,
12 2017, okay?

13 A. Yes.

14 Q. Do you have any independent
15 recollection of that day's events?

16 A. Yes.

17 Q. Can you tell me a little bit
18 about what you remember, just
19 independently --

20 A. Oh, without looking at my notes.

21 Q. -- without looking at your
22 notes.

23 A. Okay. I believe it was the last
24 job of the day. The job comes over the
25 radio. We get to the scene. Mr.

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1 Mannarino -- when we get to the scene, Mr.
2 Mannarino is on the floor, there's
3 multiple people around him.

4 I spoke to Mr. Mannarino. I'm
5 asking him what happened. You know, he
6 seemed a little bit out of it, he tells me
7 I don't remember.

8 I said okay. I'm asking
9 multiple people did you guys see anything,
10 they tell me no. And his vehicle is
11 pretty much in front of him. Can I
12 demonstrate with my phone? I don't know
13 if you --

14 Q. Why don't we -- I believe
15 there's a diagram --

16 A. Okay.

17 Q. -- in your report, we can use
18 that --

19 A. Okay.

20 Q. -- when we get to it.

21 A. My partner goes to the vehicle,
22 I didn't move the vehicle, and I take the
23 report how I saw fit. That's pretty much.
24 They call EMS, come get him, they take him
25 onto the ambulance and took him to the

1 of what you're showing us with the items
2 on the table that his body was in front of
3 his vehicle and towards the driver's side?

4 A. Driver's side, yes.

5 Q. At a distance of, if you can
6 estimate?

7 A. A car and a half feet away,
8 like -- yeah, about a car length away.

9 Q. You mentioned that there were
10 other people onsite when you arrived, can
11 you estimate how many?

12 A. About four to eight people.

13 Q. Did you talk to any of those
14 individuals?

15 A. I was trying to, and everyone
16 didn't -- I asked was he ran -- like did
17 someone run him over. No one seemed to
18 understand or know. No one seen anything.

19 Q. Did you receive any information
20 from any of those individuals about how
21 the accident occurred?

22 A. I heard whispering, people
23 saying he was trying to stop his vehicle,
24 and that was it. That's the only things I
25 heard.

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1 Q. Okay. Did you take down the
2 names of any of those individuals?

3 A. No.

4 Q. Is it fair to assume, then, that
5 you don't know the names of any of those
6 individuals?

7 A. No.

8 Q. The whispering that you heard,
9 was it coming from multiple people or one
10 person, if you could tell?

11 A. I couldn't tell. When I --
12 because I was tending to Mr. Mannarino.

13 Q. Understood.

14 A. Uh-uh.

15 Q. Did you hear any whispering
16 other than what you've told us about him
17 possibly trying to stop the vehicle?

18 A. Not that I recall, no.

19 Q. What was the first thing you did
20 upon arriving to the scene?

21 A. Assess what was happening. I
22 saw Mr. Mannarino on the floor, I approach
23 him. Sir, are you okay? You know, he was
24 nodding his head. Can you tell me what
25 happened, what's going on? Couldn't -- he

1 wasn't really talking as much. And I
2 don't honestly remember him really saying
3 anything to me besides getting his bag
4 that was in his car, that was it.

5 Q. When you say floor, are you
6 referring to the ground?

7 A. Yes, the parking lot ground.

8 Q. Do you know how he got to the
9 position that he was in when you first
10 observed him?

11 A. No.

12 Q. Do you know if he had been moved
13 to that position?

14 A. No. No.

15 MR. BRUNO: Just, you don't know
16 or --

17 THE WITNESS: No, I don't know.

18 MR. BRUNO: Thank you.

19 Q. Can you tell us about any
20 observations that you may have made of Mr.
21 Mannarino's physical appearance?

22 A. His physical appearance? He
23 seemed intact, everything was there. Just
24 seemed sore, you know, he wanted to sit
25 up. He asked me could he sit up, I said

1 A. No.

2 Q. All right. You mentioned an
3 amend police report, and you actually
4 brought something with you today. Can I
5 just take a look?

6 A. Sure.

7 MR. CAVANAGH: White 4.

8 [Whereupon, at this time, the
9 reporter marked as White Exhibit 4 the
10 above-mentioned amended report for
11 identification.]

12 Q. Officer White, I'll give you
13 what's been marked White 4. Can you tell
14 me what that is?

15 A. It's an amended report.

16 Q. How did that -- tell me about
17 the circumstances that led to that amended
18 report.

19 A. So the next day, I come in and
20 my supervisor, Odessa, tells me that we
21 have to redo the report.

22 Q. Did she tell you why?

23 A. Because Mannarino had passed
24 away.

25 Q. You're the one that amended the

1 report?

2 A. She did, she -- she did.

3 Q. Can you tell me how the amended
4 report differs from the original report,
5 if at all?

6 A. It just -- well, she added here,
7 I told her what happened, and she just
8 added, I guess, what she wrote in. She
9 wrote here this pedestrian's death
10 occurred on a private property. The cause
11 of this collision was a mechanical defect
12 from a manufacture safety recall that
13 wasn't corrected. This pedestrian passed
14 away the day after the collection. This
15 report should be amended and the facility
16 should be freelated.

17 Q. Do you know if that's a typo?

18 A. It might be.

19 Q. Could it be related?

20 A. Yes, I believe it's supposed to
21 be related.

22 Q. So this amendment was made by
23 Sergeant Odessa, is that right?

24 A. Yes.

25 Q. Okay. And it was made the next

1 day?

2 A. Yes.

3 Q. Do you know -- strike that.

4 The section that you just read
5 followed something that says amended
6 details in the description box, do you see
7 that?

8 A. Yes.

9 Q. What you just read, is that the
10 only difference between White 4 and White
11 3, the original report?

12 A. Yes.

13 Q. Do you know why Sergeant Odessa
14 added in the section about the
15 pedestrian's death occurring on private
16 property?

17 A. I have no idea.

18 Q. Are you aware of any
19 significance that that would have from the
20 officer -- or excuse me, from the
21 perspective of a police officer?

22 A. I have no idea.

23 Q. Okay. The next sentence, the
24 cause of the collision was a mechanical
25 defect from a manufacture safety recall

1 that wasn't corrected, do you have any
2 information about the mechanical defect
3 that's being referenced in this sentence?

4 A. I was informed by other people
5 that that vehicle had recalls on it, and
6 myself and Sergeant Odessa just spoke
7 about it, and this is what she formulated.

8 Q. Did you ever view any recalls?

9 A. No.

10 Q. Did you ever obtain any
11 information from any source other than
12 from Sergeant Odessa about the recall?

13 A. No.

14 Q. Other than what you've already
15 testified to, did Sergeant Odessa provide
16 you with any other information about the
17 mechanical defect?

18 A. No.

19 Q. I apologize, you may have
20 already answered this, but I can't recall,
21 did she tell you what the mechanical
22 defect was?

23 A. We were talk -- I can't remember
24 if she specified it, but from my other
25 colleagues and -- because it was like

1 early in the day, yeah, that it happened,
2 you know, I pretty much -- multiple people
3 told me they have problem with the gears,
4 the gears, and I was, like, I had no idea.

5 Q. Those multiple people, were they
6 other police officers?

7 A. Yes.

8 Q. Okay. Other than what you heard
9 from those other police officers, do you
10 have any other information about the --

11 A. No.

12 Q. -- mechanical defect?

13 A. No.

14 Q. So at some point after you
15 submitted your original report, you had a
16 conversation with Sergeant Odessa --

17 A. Yes.

18 Q. -- correct?

19 A. Yes.

20 Q. And I think you testified
21 earlier, tell me if I'm wrong, that you
22 also spoke with another detective who
23 conducted a post-accident investigation?

24 A. Yes.

25 Q. What was that individual's name?